ITEM #1

PLANNING & DEVELOPMENT SERVICES DEPARTMENT REPORT MS Word Export To Multiple PDF Files Software - Please purchase license.

DATE: November 29, 2001

TO: Orange County Zoning Administrator

FROM: Planning and Development Services Department/Current Planning Services Division

SUBJECT: Public Hearing on Planning PA01-0078 for Use Permit

PROPOSAL: Construction of a 43 feet high, 3-story, 29,429 square feet professional/administrative

office building in the BP "Business Park" District of the Santa Ana Heights Specific Plan. The project site is 1.34 acres in size, measuring 198 feet wide by 295 feet deep. A total of 108 on-site parking spaces are provided. Access to the site is from Acacia with reciprocal ingress and egress proposed with the existing office building located

on the adjoining site to the north.

LOCATION: In the community of Santa Ana Heights, on the east side of Acacia Street, south of

Orchard Drive at 20280 Acacia Street, Newport Beach. Second Supervisorial District

APPLICANT: Acacia Sun-West, LCC, owner/developer

STAFF William V. Melton, Project Manager

CONTACT: Phone: (714) 834-2541 FAX: (714) 834-4652

SYNOPSIS: Staff review of the proposal determined that the proposed office building is consistent

with the development standards of the BP "Business Park" District of the Santa Ana Heights Specific Plan. Current Planning Services Division recommends Zoning Administrator approval of PA01-0078 subject to the attached Findings and

Conditions of Approval.

BACKGROUND:

The 1.34-acre project site is level and developed with a single-family dwelling and several outbuildings. The dwelling and outbuildings are to be demolished and the site prepared for the construction of the 3-strory office building. The site is within the Santa Ana Heights Specific Plan and has a land use designation of BP "Business Park" District. In the BP District, an office building is among the uses listed as a principal permitted uses subject to approval of a use permit by the Zoning Administrator per Zoning Code Section 7-9-150. Access to the site is from Acacia Street, which is the second major north-south street in Santa Ana Heights Business Park after Birch Street.

This is the forth Use Permit request on this site for office building construction in the last 11 years since the Santa Ana Specific Plan has been adopted. The Planning Commission approved all of these past use permits. However, construction was never commenced and the Use Permit approvals became null and

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void. The most current past approval was in 1999 with the Planning Commission's approved of PA98-0179 for the construction of a two-story, 29,200 square feet, office building over subterranean parking. In 1991, Use Permit UP 91-045P was approved for the construction of two office buildings, each two-story, with a total square footage of 28,000 square feet. In 1990, Use Permit UP90-03020001P was approved for the construction of a two-story, 25,000 square foot office building.

There is a fifth Use Permit approval related to the current proposal and the three past approvals listed above. In 1988 the present property owner applied for Use Permit UP 88-34P covering the current project site and a site adjacent and extending to the north to the corner of Acacia Street and Orchard Drive. The area subject to that use permit was amended to exclude the present site. The Planning Commission approved the amended use permit on November 21, 1988 for the construction of a two-story office building. The building approved by UP 88-34P is constructed and occupied. All of the past approvals were tied to UP 88-34P through the use of a common driveway through both sites. This current proposal, PA01-0078, also proposes to use a common driveway through both projects. The project approved by UP 88-34P is referred to as *Acacia Court Business Center*, *Phase 1* and the current proposal is referred to as *Acacia Court Business Center*, *Phase 1*

SURROUNDING LAND USE: (assumes Acacia Street runs north-south)

Direction	Land Use Designation	Existing Land Use
Project Site	BP "Business Park"	Single-family dwelling, vacant
North	BP "Business Park"	Office building
South	BP "Business Park"	Single-family dwelling
East	BP "Business Park"	Office building
West	BP "Business Park"	Office building

REFERRAL FOR COMMENT AND PUBLIC NOTICE:

A Notice of Hearing was mailed to all owners of record within 300 feet of the subject site. Additionally, a notice was posted at the site, at the 300 N. Flower Building and as required by established public hearing posting procedures. A copy of the planning application and a copy of the proposed site plan were distributed for review and comment to 13 County Divisions, the City of Newport Beach and the Santa Ana Height Project Advisory Committee (PAC). As of the writing of this staff report, no comments raising issues with the project that could not be addressed through conditions of approval have been received from other County divisions. The City of Newport Beach did not comment. PAC recommended project approval provided the proposal complies with all Specific Plan site development standards for the Business Park District.

CEQA COMPLIANCE:

Negative Declaration No. PA010078 (Exhibit 2) has been prepared for this proposal. It was posted for public review and became final on November 1, 2001. Prior to project approval, the Zoning Administrator must find this ND adequate to satisfy the requirements of CEQA. Appendix A contains the required CEQA Finding.

DISCUSSION/ANALYSIS:

The purpose of this Use Permit, with its associated public hearing, is provide an opportunity for staff from planning and other divisions to review the proposal for conformity with the Santa Ana Heights SP development standards of the Business Park District and to provide any necessary conditions of approval. It also provides an opportunity for citizen review groups, such as PAC, and the general public, which may have an interest in to the proposal to provide their input into the project proposal.

Both County divisions and the PAC have reviewed the proposal. As previously noted, PAC gave a recommendation for approval provided the proposal conforms to the Business Park site development standards. Chart 1 below shows the development standards applicable to the site and those proposed by the applicant.

CHART 1 – PROJECT SITE DEVELOPMENT STANDARDS			
ELEMENT	REQUIREMENT	PROPOSED	
Building Height	37 feet maximum with 6 feet high mechanical roof screen	37 feet maximum with 6 feet high mechanical roof screen	
Front Setback	10 feet	85 feet, from ultimate right-of-way	
Rear Setback	10 feet	112 feet	
Side Setback	10 feet both sides	72 feet and 10 ½ feet	
On-site Parking	108 spaces @ 4/1,000 sq. ft.	108 spaces	
Total Site Landscaping	15 percent (8,700 sq. ft.)	20.6 percent (12,000 sq. ft.)	
Front Landscaping	10 feet minimum depth	10 feet minimum depth	
Rear Landscaping	3 feet minimum depth	5 feet	
Side Landscaping	3 feet minimum depth	3 feet and 5 feet minimum	
Site Coverage	40 percent maximum	16 percent	
Floor Area Ratio	50 percent maximum	49 percent	

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As show in Chart 1, the proposal conforms to all applicable site development standards listed. Another standard not shown in Chart 1 involves the mechanical roof screen. Roof screens may exceed the 37 feet height limit by 6 feet provided the screens are setback a minimum distance of ten feet from the outside edge of the building parapet. The roof plan detail indicates that this requirement is meet. Another standard is that roof-mounted equipment not be visible from a point five (5) feet above the centerline of the adjacent street (Acacia Street for this site). The applicant submitted adequate detail information to show that this standard is also meet.

Another area of review is the Santa Ana Height Specific Plan Community Design Program. This chapter addresses architectural and landscape guidelines. These guidelines were created in part to address the Business Park where it abuts the residential zoned areas. This site is not adjacent to a residential zoned area, but in staff's opinion the proposal conforms to the guidelines. As an example, the landscape guidelines recommend that the street frontage be planed with Tristania Coniferta trees with a 24-inch box size. The preliminary landscape plans submitted have this same tree and corresponding size. The guideline for perimeter landscape screening is also conforming to the Specific Plan guidelines. Regarding the architectural guidelines, the Specific Plan guidelines area general in nature but does discourage radical theme structures. The proposed building is far from radical and is similar to the adjacent buildings. The structure appears to conform to the general guidelines for exterior building materials, glazing, rooflines and building massing/form. The PAC did not have any specific comments on building architecture.

In summary, the proposal conforms to all the development standards and guidelines applicable to the Business Park District of the Santa Ana Heights Specific Plan. No comments were received from other County Divisions that could not be addressed through the application of Standard Conditions of Approval. The Santa Ana Height Project Advisory Committee reviewed the proposal and recommended approval. Staff supports the proposal and makes a recommendation as follows.

RECOMMENDED ACTION:

Current Planning Services Division recommends the Zoning Administrator:

- a. Receive staff report and public testimony as appropriate; and,
- b. Approve Planning Application PA01-0078 for Use Permit subject to the attached Findings and Conditions of Approval.

Respectfully submitted

Chad G. Brown, Chief CPSD/Site Planning Section

APPENDICES:

- A. Recommended Findings
- B. Recommended Conditions of Approval

EXHIBITS:

- 1. Applicant's Letter of Explanation
- 2. Environmental Documentation
- 3. Site Photos
- 4. Site Plans

APPEAL PROCEDURE:

Any interested person may appeal the decision of the Zoning Administrator on this permit to the Orange County Planning Commission within 15 calendar days of the decision upon submittal of required documents and a filing fee of \$760.00 filed at the Development Processing Center, 300 N. Flower St., Santa Ana. If you challenge the action taken on this proposal in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this report, or in written correspondence delivered to the Planning and Development Services Dept.